

File No. 566

(Reprint of File No. 357)

Substitute House Bill No. 5688
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
April 17, 1998

AN ACT CONCERNING ELECTION PROCEDURES.

Be it enacted by the Senate and House of
Representatives in General Assembly convened:

1 Section 1. Section 9-35 of the general
2 statutes, as amended by section 24 of public act
3 97-154, is repealed and the following is
4 substituted in lieu thereof:
5 The registrars, on the Tuesday of the fifth
6 week before each regular election, shall be in
7 session for the purpose of completing a correct
8 list of all electors who will be entitled to vote
9 at such election. Such registry list shall consist
10 of an active registry list and an inactive
11 registry list. Such session shall be held during
12 such hours between nine o'clock a.m. and five
13 o'clock p.m. as the registrars find necessary to
14 complete the list. Notice of such session shall be
15 given at least five days before the session by
16 publication in a newspaper having a circulation in
17 such municipality, if any, and by posting on the
18 signpost therein, if any, or at some other
19 exterior place near the office of the town clerk.
20 At such session and on any day except on the day
21 of an election or primary, the registrars shall
22 remove from the list the name of each elector who

23 has died, who has been disfranchised or who has
24 confirmed in writing that [he] THE ELECTOR has
25 moved out of the municipality, except electors
26 entitled to remain on such list under the
27 provisions of this chapter. An elector shall be
28 deemed to have confirmed in writing that [he] THE
29 ELECTOR has moved out of the municipality if (1)
30 the elector has submitted a change of address form
31 for purposes of a state motor vehicle operator's
32 license, unless the elector states on the form
33 that the change of address is not for voter
34 registration purposes, (2) the elector has
35 submitted a change of address form to a voter
36 registration agency described in section 9-23n and
37 such agency has provided such change of address to
38 the registrars of voters or (3) the registrars of
39 voters have received a cancellation of previous
40 registration from any other election official
41 indicating that such elector has registered as an
42 elector outside such municipality. Whenever the
43 registrars of voters of a town remove from the
44 registry list the name of an elector who has
45 submitted a change of address to the Commissioner
46 of Motor Vehicles or a voter registration agency
47 under subdivision (1) or (2) of this section,
48 indicating that [he] THE ELECTOR has moved out of
49 such town, the registrars shall send the elector,
50 by forwardable mail to [his] THE ELECTOR'S former
51 address from such list OR CURRENT ADDRESS IN THE
52 NEW TOWN, (A) a notice of removal, (B) information
53 explaining how to have [his] THE ELECTOR'S name
54 restored to such list, which shall be in a form
55 prescribed by the Secretary of the State, and (C)
56 a mail-in voter registration application which can
57 be used by the elector to apply for admission as
58 an elector in the new town. If such notice,
59 information and application are SENT TO THE
60 ELECTOR'S FORMER ADDRESS AND ARE returned
61 undeliverable, the registrars shall mail such
62 documents to the elector's address in the new
63 town. The registrars shall enter the names on such
64 list by street and number of the house, when the
65 houses are numbered, so that there shall be
66 entered on the list first, the street, avenue or
67 road; second, the number of the house or residence
68 in numerical order or, if the registrars of any
69 town find it more convenient, by odd and even
70 numbers in numerical order; and third, the names

71 of the electors in such house in alphabetical
72 order. The names of any electors who cannot be so
73 listed shall be listed alphabetically in the
74 voting district wherein any such elector is a bona
75 fide resident. The registrars of voters may
76 consecutively number the names on the registry
77 list OR MAY INCLUDE VOTER IDENTIFICATION NUMBERS
78 FOR THE NAMES ON THE REGISTRY LIST, provided such
79 list shall comply in all respects with the
80 requirements of law other than for the addition of
81 such numbers. THE REGISTRARS SHALL NOT USE SOCIAL
82 SECURITY NUMBERS FOR ANY SUCH VOTER IDENTIFICATION
83 NUMBERS. In any case in which the registrars have
84 obtained reliable information of an elector's
85 change of address within the municipality, they
86 shall enter the name of such elector on the
87 registry list at the place where he then resides,
88 provided, if such reliable information is the
89 National Change of Address System of the United
90 States Postal Service, the registrar shall change
91 the registry list and send the elector a notice of
92 the change by forwardable mail and a postage
93 prepaid preaddressed return form by which the
94 elector may verify or correct the address
95 information. If during the canvass the registrars
96 determine that an elector has moved out of town
97 and such elector has not confirmed in writing that
98 [he] THE ELECTOR has moved out of the town, the
99 registrars shall, not later than May first, send
100 to the elector, by forwardable mail, a notice
101 required by the National Voter Registration Act of
102 1993, P.L. 103-31, as amended from time to time,
103 together with a postage prepaid preaddressed
104 return card on which the elector may state [his]
105 THE ELECTOR'S current address. In the year of a
106 presidential preference primary, the registrars
107 shall send such notice not earlier than the date
108 of such primary. If the registrar does not receive
109 the return card within thirty days after it is
110 sent, the elector's name shall be placed on the
111 inactive registry list for four years. At the
112 expiration of such period of time on the inactive
113 registry list, such name shall be removed from the
114 registry list. If such elector applies to restore
115 [his] THE ELECTOR'S name to the active registry
116 list or votes during such period, [his] THE
117 ELECTOR'S name shall be restored to the active
118 registry list. Such registrars shall retain a

119 duplicate copy or record of each such notice in
120 their office or, if they do not have a permanent
121 office, in the office space provided under section
122 9-5a, and shall note on such duplicate copy or
123 record the date on which such notice was mailed.
124 In each municipality, any elector, upon change of
125 residence within the municipality, may cause [his]
126 THE ELECTOR'S registration to be transferred to
127 his new address by presenting to the registrars a
128 signed request therefor, stating his present
129 address, the date [he] THE ELECTOR moved to such
130 address and the address at which [he] THE ELECTOR
131 was last registered. The registrars shall
132 thereupon enter [his] THE ELECTOR'S name on the
133 list at [his] THE ELECTOR'S new residence;
134 provided no transfer of registration shall be made
135 on the registry list on election day without the
136 consent of both registrars.

137 Sec. 2. Subsection (f) of section 9-265 of
138 the general statutes is repealed and the following
139 is substituted in lieu thereof:

140 (f) A write-in ballot shall be cast in its
141 appropriate place on the voting machine. A
142 write-in ballot for Governor and Lieutenant
143 Governor, or for President and Vice-President, as
144 the case may be, shall be written in a single
145 space, provided that if only one name is written
146 in the space it shall be deemed to be a vote for
147 Governor, or for President, as the case may be,
148 unless otherwise indicated. A write-in ballot
149 shall be written upon the paper contained in the
150 receptacle or device provided in the voting
151 machine for such purpose. The registrars of voters
152 shall cause an adhesive label, provided by the
153 Secretary of the State, upon which shall be
154 imprinted the words "write-in slides", to be
155 affixed to the upper left-hand corner of each
156 voting machine, directly opposite the write-in
157 slides. THE REGISTRARS SHALL (1) LOCK ALL WRITE-IN
158 SLIDES IF THERE ARE NO REGISTERED WRITE-IN
159 CANDIDATES FOR ANY OFFICE OR (2) LOCK THE WRITE-IN
160 SLIDES FOR MULTIPLE-OPENING OFFICES IF THERE ARE
161 REGISTERED WRITE-IN CANDIDATES ONLY FOR SINGLE
162 OPENING OFFICES.

163 Sec. 3. Subsection (e) of section 9-436 of
164 the general statutes, as amended by section 53 of
165 public act 97-47, is repealed and the following is
166 substituted in lieu thereof:

167 (e) The registrar shall designate one of the
168 moderators so appointed by [him] THE REGISTRAR to
169 be head moderator or shall appoint as head
170 moderator an elector who is not also moderator of
171 a polling place and who shall be deemed a primary
172 official. The registrar may also appoint a deputy
173 head moderator to assist the head moderator in the
174 performance of his duties. A deputy head moderator
175 shall also be deemed to be a primary official.
176 Each registrar's appointments of primary polling
177 place officials, EXCEPT MODERATORS OF POLLING
178 PLACES, and of designees to conduct supervised
179 voting of absentee ballots pursuant to sections
180 9-159q and 9-159r shall be divided equally, as
181 nearly as may be, between designees of the
182 party-endorsed candidates and designees of one or
183 more of the contestants, provided, if a
184 party-endorsed candidate is a member of a party
185 other than the one holding the primary, such
186 primary officials, except voting machine
187 mechanics, shall be enrolled party members of the
188 party holding the primary. Names of designees and
189 alternate designees for such positions shall be
190 submitted in writing by party-endorsed candidates
191 and contestants to the registrar not later than
192 ten days before the primary, except that names of
193 designees and alternate designees for the position
194 of moderator shall be so submitted not later than
195 twenty-one days before the primary and, if such
196 lists are not so presented, all such appointments
197 shall be made by the registrar but in the
198 above-mentioned proportion. The registrar shall
199 notify all such candidates and contestants of
200 their right to submit a list of designees under
201 this section. Notwithstanding any other provision
202 of this section, the registrar shall appoint as
203 moderators only persons who are certified to serve
204 as moderators or alternate moderators pursuant to
205 section 9-229, unless there is an insufficient
206 number of such persons who are enrolled members of
207 the registrar's party in the municipality or
208 political subdivision holding the primary, in
209 which case the registrar may appoint a new
210 moderator in accordance with section 9-229, but
211 only to the extent of such insufficiency. Primary
212 central counting moderators and absentee ballot
213 counters shall also be deemed primary officials.

214 No primary official shall perform services for any
215 candidate at the primary on primary day.

216 Sec. 4. Subsection (a) of section 9-17 of the
217 general statutes, as amended by section 6 of
218 public act 97-67, is repealed and the following is
219 substituted in lieu thereof:

220 (a) For the purposes of this section,
221 "primary day" means the day [scheduled for] THAT a
222 primary for state, district and municipal offices
223 IS BEING HELD in accordance with section 9-423,
224 [regardless of whether the municipality will hold
225 a primary] and "election day" means the day of
226 each regular election. (1) The registrars of
227 voters of each town shall hold sessions to examine
228 the qualifications of electors and admit those
229 found qualified on the dates and at the times set
230 forth in this section. Such sessions shall be held
231 on the following days during the hours indicated,
232 except as provided in subdivision (2) of this
233 subsection:

234	Day	Hours
235	Fourteenth day before	
236	primary day.....	any two hours between
237		5:00 p.m. and 9:00 p.m.
238	Saturday of third week	
239	before election	
240	day.....	10:00 a.m. to 2:00 p.m.
241	Fourteenth day before	
242	election day.....	9:00 a.m. to 8:00 p.m.

243 The session of the registrars of voters on the
244 fourteenth day before election day shall be the
245 last regular session for the admission of electors
246 prior to an election, as defined in subsection (y)
247 of section 9-1. (2) No town having a population of
248 less than twenty-five thousand persons shall be
249 required to hold sessions for admission of
250 electors on the fourteenth day before primary day.

251 Sec. 5. Section 9-259 of the general statutes
252 is repealed and the following is substituted in
253 lieu thereof:

254 The moderator of the election in each
255 municipality, voting district or ward shall appear
256 at the office of the municipal clerk not later

257 than eight o'clock p.m. of the day before the
258 election and there receive from the municipal
259 clerk the sample ballot labels, three complete
260 sets of ballot labels and all checklists and other
261 supplies necessary to conduct the election and
262 make return thereof. [He] THE MODERATOR shall
263 receive a sealed envelope, and a receipt therefor,
264 containing only the number two and number three
265 election official keys for each voting machine.
266 Each such envelope shall bear the number of the
267 machine to which the keys belong. THE NUMBER FOUR
268 ELECTION OFFICIAL KEY FOR EACH VOTING MACHINE
269 SHALL BE AVAILABLE TO THE REGISTRARS FOR THE USE
270 OF THE MECHANICS BEGINNING AT 5:15 A.M. ON THE DAY
271 OF THE ELECTION. On the morning of the election,
272 the election officials shall meet at the room
273 where the election is to be held at least
274 forty-five minutes before the time for opening the
275 polls. The moderator shall then cause the three
276 sample ballot labels and instruction cards to be
277 posted and everything put in readiness for the
278 commencement of voting at the hour of opening the
279 polls. The envelope containing the keys shall not
280 be opened until at least one election official
281 from each of two political parties is present at
282 the polling place and has examined the envelope to
283 see that it has not been opened. Before opening
284 the envelope, all election officials present shall
285 examine the number of the seal of the machine and
286 the number registered on the protective counter,
287 if one is provided, and shall see if they are the
288 same as the numbers written on the envelope
289 containing the keys. If the numbers are found not
290 to agree, the envelope shall not be opened until
291 the mechanic in charge of the machine, or the
292 registrars or one of the registrars under whose
293 direction the machine was prepared under section
294 9-243, has been notified and [has presented
295 himself] SUCH MECHANIC, REGISTRARS OR REGISTRAR
296 HAS APPEARED at the polling place for the purpose
297 of reexamining such machine and has certified that
298 it is properly arranged. If the numbers on the
299 seal and the protective counter, if one is
300 provided, are found to agree with the numbers on
301 the envelope, the election officials shall proceed
302 to open the doors concealing the counters. The
303 election officials, in the presence of the party
304 watchers, shall compare the ballot labels on the

305 machine with the sample ballot labels to see that
306 they are correct, and, if the machine is not so
307 labeled, set and adjusted and in order, they shall
308 immediately label, set and adjust the same and
309 place it in order, or cause it to be done, examine
310 and see that all the counters in the machine are
311 set at zero (000) and that the machine is
312 otherwise in perfect order and make written report
313 thereof as hereinbefore directed and they shall
314 not thereafter permit the counters to be operated
315 or moved except by electors in voting. If the
316 machine is equipped with a device for printing
317 totals of candidate and question counters, the
318 doors concealing the counters shall not be opened.
319 The election officials shall examine the printed
320 record produced by the machine to see that each
321 counter registers zero and shall allow watchers to
322 examine the printed record. They shall also see
323 that all necessary arrangements and adjustments
324 are made for voting write-in ballots on the
325 machine and that the machine and its attachments
326 are properly set or adjusted so that the elector
327 will be concealed while in the act of voting.
328 There shall be printed directions for the guidance
329 of the election officials before the polls are
330 opened and when the polls are closed. The
331 moderator's return which the moderator receives
332 from the municipal clerk for state elections shall
333 be in a form prescribed by the Secretary of the
334 State. There shall be printed on the moderators'
335 returns a certificate, which shall be signed by
336 the election officials before the polls are
337 opened, showing the delivery of the keys in a
338 sealed envelope; the number on the seal; the
339 number registered on the protective counter, if
340 one is provided; whether all of the counters are
341 set at zero (000); whether the public counter is
342 set at zero (000); whether the ballot labels are
343 properly placed in the machine; also a
344 certificate, which shall be filled out after the
345 polls have been closed, that the machine has been
346 locked against voting and sealed; the number of
347 electors as shown on the public counter; the
348 number on the seal; the number registered on the
349 protective counter, if one is provided, and that
350 the voting machine is closed and locked. The
351 moderators' returns shall show the total number of
352 votes cast for each office, the number of votes

401 in the required two conferences a year called by
402 the Secretary of the State, pursuant to section
403 9-6 of the general statutes, for purposes of
404 discussing the election laws, procedures or
405 matters related to election laws and procedures
406 and (2) may recommend programs at one or more
407 institutions of higher education that satisfy said
408 criteria.

409 (b) Any registrar of voters, deputy or
410 permanent assistant may participate in the course
411 of training prescribed by the committee and, upon
412 completing such training and successfully
413 completing any examination or examinations
414 prescribed by the committee, shall be recommended
415 by the committee, to the Secretary of the State as
416 a candidate for certification as a certified
417 Connecticut registrar of voters. The Secretary of
418 the State shall certify any such qualified,
419 recommended candidate as a certified Connecticut
420 registrar of voters. The Secretary of the State
421 may rescind any such certificate only upon a
422 finding, by a majority of the committee, of
423 sufficient cause as defined by the regulations
424 adopted pursuant to subsection (a) of this
425 section.

426 (c) No provision of this section shall
427 require any registrar of voters, deputy or
428 permanent assistant to be a certified registrar of
429 voters.

430 Sec. 7. Section 9-244 of the general statutes
431 is repealed and the following is substituted in
432 lieu thereof:

433 (a) Such registrars of voters shall give
434 written notice to the [chairmen] CHAIRPERSONS of
435 the town committees of the political parties of
436 the day and place a mechanic or mechanics will
437 begin the preparation, TEST VOTING AND SEALING of
438 the machines for the election, including any
439 additional machines required under section 9-238.
440 SUCH NOTICE SHALL BE GIVEN AT LEAST ONE DAY BEFORE
441 THE WORK ON THE PREPARATION OF SUCH MACHINES
442 BEGINS.

443 (b) Each such [chairman] CHAIRPERSON and any
444 candidate for an office appearing on the ballot
445 may be present, or may designate a watcher who may
446 be present, during the preparation of such
447 machines, but such [chairmen] CHAIRPERSONS,
448 candidates and watchers shall not interfere with,

449 OR ASSIST IN, the preparation of the machines. [or
450 assist in their preparation. Such notice shall be
451 given at least one day before the work on the
452 preparation of such machines begins. Any such
453 chairmen and candidates]

454 (c) AFTER THE MECHANIC OR MECHANICS HAVE
455 PREPARED THE MACHINES, (1) THE REGISTRARS OF
456 VOTERS, OR THEIR DESIGNEES, WHO SHALL NOT INCLUDE
457 ANY SUCH MECHANICS, AND (2) ALL MECHANICS WHO
458 PREPARED SUCH MACHINES SHALL BE PRESENT TOGETHER
459 WHEN THE MACHINES ARE TESTED AND SEALED FOR USE IN
460 THE ELECTION. THE CHAIRPERSONS OF THE TOWN
461 COMMITTEES OF THE POLITICAL PARTIES AND ANY
462 CANDIDATE FOR AN OFFICE APPEARING ON THE BALLOT
463 MAY ALSO BE PRESENT, OR MAY DESIGNATE A WATCHER
464 WHO MAY BE PRESENT, DURING THE TESTING AND
465 SEALING, BUT SUCH CHAIRPERSONS, CANDIDATES AND
466 WATCHERS SHALL NOT INTERFERE WITH THE TESTING OR
467 SEALING. ALL SUCH PERSONS who are present [and the
468 watchers] FOR THE TESTING AND SEALING OF THE
469 MACHINES, EXCEPT THE MECHANICS, shall file a
470 written report, as provided in section 9-245, AS
471 AMENDED BY THIS ACT, certifying (A) to the
472 [number] NUMBERS of the [machine] MACHINES, (B) as
473 to whether all the candidate and question counters
474 are set at zero (000), (C) as to the [number]
475 NUMBERS registered on the protective [counter]
476 COUNTERS, if [one is] provided, and the [number]
477 NUMBERS on the [seal] SEALS, (D) THAT THE BALLOT
478 LABELS ARE PROPERLY PLACED ON THE MACHINES, AND
479 (E) THAT THE MACHINES HAVE BEEN TEST-VOTED AND
480 FOUND TO BE WORKING PROPERLY.

481 Sec. 8. Section 9-245 of the general statutes
482 is repealed and the following is substituted in
483 lieu thereof:

484 The reports of the mechanics, provided for
485 under section 9-246, and the [reports of the party
486 watchers, party chairmen and candidates,] REPORT
487 provided for under SUBSECTION (c) OF section
488 9-244, AS AMENDED BY THIS ACT, shall be filed with
489 the municipal clerk and shall be kept by [him] THE
490 MUNICIPAL CLERK for at least sixty days after the
491 election for which the machines were so prepared.

492 Sec. 9. Section 9-140b of the general
493 statutes, as amended by section 15 of public act
494 97-154 and section 1 of public act 97-176, is
495 repealed and the following is substituted in lieu
496 thereof:

497 (a) An absentee ballot shall be cast at a
498 primary, election or referendum only if: (1) It is
499 mailed by (A) the ballot applicant, (B) a designee
500 of a person who applies for an absentee ballot
501 because of illness or physical disability or (C) a
502 member of the immediate family of an applicant who
503 is a student, so that it is received by the clerk
504 of the municipality in which the applicant is
505 qualified to vote not later than the close of the
506 polls; (2) it is returned by the applicant in
507 person to the clerk by the day before a regular
508 election, special election or primary or prior to
509 the opening of the polls on the day of a
510 referendum; (3) it is returned by a designee of an
511 ill or physically disabled ballot applicant, in
512 person, to said clerk not later than the close of
513 the polls on the day of the election, primary or
514 referendum; (4) it is returned by a member of the
515 immediate family of the absentee voter, in person,
516 to said clerk not later than the close of the
517 polls on the day of the election, primary or
518 referendum; or (5) in the case of a presidential
519 or overseas ballot, it is mailed or otherwise
520 returned pursuant to the provisions of section
521 9-158g. A person returning an absentee ballot to
522 the municipal clerk pursuant to subdivision (3) or
523 (4) of this subsection shall present
524 identification and, on the outer envelope of the
525 absentee ballot, sign his name in the presence of
526 the municipal clerk, and indicate his address, his
527 relationship to the voter or his position, and the
528 date and time of such return. As used in this
529 [subsection] SECTION, "immediate family" means
530 ["immediate family" as defined in section 1-79] A
531 DEPENDENT RELATIVE WHO RESIDES IN THE INDIVIDUAL'S
532 HOUSEHOLD OR ANY SPOUSE, CHILD OR PARENT OF THE
533 INDIVIDUAL.

534 (b) As used in this section and section
535 9-150c, "designee" means (1) a person who is
536 caring for the applicant because of the
537 applicant's illness or physical disability,
538 including but not limited to, a licensed physician
539 or a registered or practical nurse, (2) a member
540 of the applicant's family, who is designated by an
541 absentee ballot applicant and who consents to such
542 designation, or (3) if no such person consents or
543 is available, then a police officer, registrar of
544 voters, deputy registrar of voters or assistant

545 registrar of voters in the municipality in which
546 the applicant resides.

547 (c) For purposes of this section "mailed"
548 means sent by the United States Postal Service or
549 any commercial carrier, courier or messenger
550 service recognized and approved by the Secretary
551 of the State.

552 (d) No person shall have in his possession
553 any official absentee ballot or ballot envelope
554 for use at any primary, election or referendum
555 except the applicant to whom it was issued, the
556 Secretary of the State or his or her authorized
557 agents, any official printer of absentee ballot
558 forms and his designated carriers, the United
559 States Postal Service, any other carrier, courier
560 or messenger service recognized and approved by
561 the Secretary of the State, any person authorized
562 by a municipal clerk to receive and process
563 official absentee ballot forms on behalf of the
564 municipal clerk, any authorized primary, election
565 or referendum official or any other person
566 authorized by any provision of the general
567 statutes to possess a ballot or ballot envelope.

568 (e) No (1) candidate or (2) agent of a
569 candidate, political party or committee, as
570 defined in section 9-333a, shall knowingly be
571 present when an absentee ballot applicant executes
572 an absentee ballot, except (A) when the candidate
573 or agent is (i) a member of the immediate family
574 [, as defined in section 1-79,] of the applicant
575 or (ii) authorized by law to be present or (B)
576 when the absentee ballot is executed in the office
577 of the municipal clerk and the municipal clerk or
578 an employee of the municipal clerk is a candidate
579 or agent.

580 Sec. 10. This act shall take effect July 1,
581 1998.

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5688

STATE IMPACT See Explanation Below

MUNICIPAL IMPACT Potential Cost, see explanation below

STATE AGENCY(S) Secretary of the State

EXPLANATION OF ESTIMATES:

STATE IMPACT: The bill does not specify, however, since the committee must recommend registrars for certification, it is assumed that the committee would be an on-going one. To the extent that the Secretary of the State provides administrative support to the committee, minimal additional costs and workload increase could occur.

In addition, it is not anticipated that academic institutions in the state would develop a new curriculum to satisfy the requirements of the bill. Instead, it is assumed that an outside provider would be used, thus no additional costs would be incurred by the state institutions of higher education. The cost of the contract with the provider is expected to be covered by the fee charged to participants.

MUNICIPAL IMPACT: To the extent that municipalities elect to have their registrar of voters, deputies, and permanent assistants participate in the training process required for certification, additional costs could result. The extent of the additional costs are not known as it is contingent upon the number of individuals that each town enrolls in the training program and the cost of the program.

Simplifying the procedures registrars use to send a notice of removal is expected to result in a minimal savings and workload decrease.

In addition, deleting the mandatory voter registration before a primary would result in a savings to municipalities that do not have a primary scheduled.

House "A" and "B" makes technical changes that will not alter the fiscal note on the original bill.

* * * * *

OLR AMENDED BILL ANALYSIS

sHB 5688 (as amended by House "A" and "B")*

AN ACT CONCERNING ELECTION PROCEDURES

SUMMARY: This bill:

1. establishes a program for training, examining, and certifying registrars of voters, deputy registrars, and permanent assistant registrars of voters;
2. adds test voting and sealing to the preparation procedures that registrars and voting machine mechanics conduct before an election;
3. requires that the "number four election machine key" be available to registrars of voters early on election day;
4. permits a registrar to appoint polling place moderators in a primary who are not equally divided among the candidates' designees;
5. requires registrars to lock write-in slides on voting machines when there is no registered write-in candidate for any office;
6. adds a voter's parent to those who can return an absentee ballot by mail or in person;
7. allows a candidate or the agent of a candidate, party committee, or political

committee (known as a PAC) to be present when his parent casts an absentee ballot;

8. simplifies procedures registrars use to send a notice of removal; and
9. deletes the mandatory voter registration session before a primary date when the town has no primary scheduled.

*House Amendment "A" (1) removes the registrars' certification program committee's authority to adopt regulations and substitutes "criteria" and (2) incorporates gender neutral language throughout the bill.

*House Amendment "B" (1) expands the definition of immediate family to include parents in cases involving absentee ballot returns and the exemption from the ban on casting an absentee ballot in the presence of a candidate and (2) prohibits registrars from using voters' Social Security numbers on registry lists while permitting the listing of "voter identification numbers."

EFFECTIVE DATE: July 1, 1998

FURTHER EXPLANATION

Certification for Registrars of Voters

The bill creates a six-member committee to establish optional programs and procedures for training, examining, and certifying registrars of voters, their deputies, and permanent assistants. Under the bill, such officials are not required to hold certification. The committee's members are (1) a representative of the Office of the Secretary of the State, (2) a representative of the State Elections Enforcement Commission, and (3) four registrars appointed by the secretary, in consultation with the Registrars of Voters Association of Connecticut. Committee members must designate one registrar to serve as chairperson.

The members serve for staggered four-year terms; the secretary designates members' initial terms, which may be for one, two, or four years. Committee members serve without pay.

The bill requires the committee to adopt criteria establishing the training, examination, and certification requirements. The bill directs the committee to consider permitting the secretary's biannual conferences for registrars as partially satisfying the training requirement and to recommend programs at academic institutions that meet its criteria.

The committee must recommend for certification to the secretary registrars who have completed the training and successfully taken any examinations it prescribes. The secretary must certify the candidates the committee recommends. He can rescind certification only if a majority of the committee find cause to do so based on regulations that define circumstances constituting sufficient cause (see COMMENT).

Voting Machines

Test Voting. The bill adds test voting to the procedures that mechanics and registrars must follow before an election. Current law requires the registrars to notify the political parties' town committee chairpersons when the mechanics are scheduled to prepare the machines and permits them, along with candidates and others, to observe. Under the bill, the registrars and the mechanics must together test and seal the machines that will be used in the election. The bill permits the party chairpersons, candidates, or their designees to observe the testing and sealing, in addition to the preparation itself. But they cannot interfere with the testing, and the bill bans them from assisting in the earlier preparation process.

Current law requires any chairpersons and candidates who observe the preparation process to file a written report with the town clerk certifying that the machines were properly prepared. The bill adds anyone else present to the reporting requirement and adds the proper placement of the ballot labels and whether the machines were test-voted and found to be working to the contents of the report.

Keys. The bill requires that the number four election machine key be available to the registrars beginning at 5:15 a.m. on election day (the time when the election officials must meet at the polling place, 45 minutes

before the polls open). Under current law, the election moderator gets custody of the other keys the night before the election. The bill gives registrars access to the key only for the machine mechanics' use.

Write-In Slides. By law, the only votes for write-in candidates that can be counted are those for candidates who have properly registered with the secretary of the state between 14 and 90 days before the election. The bill requires registrars to disable or lock the write-in slide voters use to vote for a write-in candidate if there are no registered write-in candidates for any office on the ballot. In that case, no write-in votes could be tabulated, even if voters put them down. The bill also requires registrars to lock slides for multiple-opening offices if the only registered candidates are running for single opening offices.

Moderator at a Primary

The bill exempts polling place moderators at a primary from the requirement that a registrar appoint an equal number from the designees of the party-endorsed candidates and those of the challenge candidates. A registrar still must appoint people certified as moderators from among the party members in the town or political subdivision. (The bill leaves a reference to the proportionate distribution that it eliminates.)

Notice of Removal

The bill allows registrars to send the notice of removal from the registry list to the person's new address when they know a voter has moved. Under current law, registrars find out that a voter has moved when the voter sends a change of address notice to the Department of Motor Vehicles or other state offices designated as voter registration agencies. Those offices forward the information to the registrars in the town where the voter used to live. Along with the notice of removal, registrars send information the voter can use to have the voter's name restored to the list and a mail-in application that the voter can use to register in the new town.

The bill allows registrars to include a voter identification number for each voter's name on the

registry list but prohibits them from using Social Security numbers. It does not define "voter identification number," and the term is not used elsewhere in the election laws.

BACKGROUND

Number Four Key

Key four unlocks the compartment in the back of the voting machine that mechanics use to set the machine's operation to correspond to the ballot, such as the mechanisms that allow voters to vote for multiple opening offices. It also contains the latch they set that detects tampering.

COMMENT

Certification Regulations

House Amendment "A" removes the registrars' certification committee's authority to adopt regulations (replacing them with criteria) but leaves a reference to those regulations as the basis for rescinding a certificate.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute
Yea 17 Nay 0